

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
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WINEZ INTERNATIONAL, INC.,

Plaintiff,

-against-

**ORDER**  
**11 CV 646 (DRH)(GRB)**

BANK OF AMERICA, N.A., NATIONAL  
CITY BANK,

Defendants.

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**HURLEY, Senior District Judge:**

On July 24, 2012, Magistrate Judge Brown issued a Report and Recommendation (“Report”), recommending that plaintiff’s case be dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b). (*See* docket no. 12.) More than fourteen days have elapsed since the entry of this Report and electronic service via ECF. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). No party has filed any objections.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report for clear error, and finding none, now concurs in both its reasoning and its result. Accordingly, this Court adopts the July 24, 2012 Report of Judge Brown as if set forth herein, and dismisses plaintiff’s case without prejudice pursuant to Fed. R. Civ. P. 41(b). The Clerk of Court shall close this case.

SO ORDERED.

Dated: Central Islip, New York  
August 21, 2012

\_\_\_\_\_/s\_\_\_\_\_  
Denis R. Hurley  
United States District Judge